REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being added or cancelled.

Claims 2-6, 8-11, 14-17 and 20-25 are currently being amended.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-26 are pending in this application.

Claim Rejections – Prior Art:

In the Office Action, claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,388,665 to Linnett in view of U.S. Patent No. 5,115,501 to Kerr; claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,933,141 to Smith in view of Linnett; claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,933,141 to Smith in view of Linnett and further in view of Kerr; claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,412,110 to Schein et al. in view of Smith et al. and Linnett and Kerr; claim 7 was rejected rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,412,110 to Schein et al. in view of Smith et al. and Linnett and Kerr and U.S. Patent No. 5,974,372 to Barnes; claims 5, 6 and 10-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kerr in view of Smith et al.; and claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein et al. in view of Linnett. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Applicant's remarks in the reply dated March 22, 2004, are applicable here and are incorporated herein by reference. The Linnett reference is included in most of the outstanding prior art rejections and can be distinguished from the claimed invention as follows.

The present invention, as defined by the amended claims, involves a method, apparatus and software that can be operated in connection with existing (base) software in order to provide a more efficient and helpful experience to a novice or infrequent computer user. The claimed invention, referred to in some place herein as the overlay software, does not require any information to be passed from the base software. This avoids the need to modify the base software and the need to receive specific information from the base software, needs which often cannot be met in practice, thus allowing the invention to be more adaptable and useful to its users. The feature of not executing the base software in the performance of some of the steps recited in the claims is now explicitly included in the presently pending claims.

The claims have also been amended to make clear a feature of the invention involving the detection of a location of a specific GUI widget on a screen generated by the base software. This detection is performed without related information from the base software, by independently analyzing the screen itself to find the location of the desired GUI widget and without performing any execution of the base software.

Neither Linnett, nor any of the other cited references discloses these features of the claimed invention. Linnett fails to disclose detecting a displayed position of the GUI widget to be operated next by analyzing the screen without executing the base software. Indeed, according to the teachings of Linnett, it would be necessary that the base application have a function to provide the "external" application with information about the base application and its display elements, and thereby be executed.

The following disclosures in the reference support this conclusion: processing 94 in Fig. 9B (94) where the base application sends a request for a snippet to a speech balloon service, processing 107 in Fig. 10B (107) where the base application tells a tracking service of an event, and processing 116 in Fig. 11B (116) where the base application sends a command to actor services.

According to Linnett, the necessary information is obtained directly from the base application, and thus there is no need for detecting the GUI widget position by analyzing the displayed screen of the base application. It follows, of course, that Linnett has no such detection means. Also, according to the structure of Linnett, the base application must have such a function to output such information.

In contrast to Linnett, the present invention does not require that the base software application have such specific function. The overlay software of the present invention does not obtain such information directly from execution of the base software application itself. Rather, the GUI widget displayed on the screen is detected by the overlay software by analyzing the screen displayed by the base software application, and not from execution of the base software.

In the present invention, functionality is achieved without limiting or changing the base software application. Linnett does not achieve such functionality. Neither does the combination of the other cited references with Linnett. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a).

It is noted that the rejection of claims 5, 6 and 10-23 is based on the combination of Kerr and Smith, and does not utilize the teachings of Linnett. With respect to presently pending independent claim 5, that claim recites that a detecting step is performed by said overlay software program external to and independent of said first and second base software programs. Such features are not taught or suggested by either Kerr or by Smith. Claim 5 also recites a step of copying the data displayed on the GUI widget on the inherent screen on said cover screen in accordance with the registered widget relation information and not in accordance with any execution of said first or second base software programs. Again, such features are not taught or suggested by either Kerr or by Smith.

The other independent claims under this rejection recite similar features to those discussed above with respect to claim 5, and thus claims 5, 6 and 10-23 are patentably distinguishable over the combination of Kerr and Smith.

Procedural Issue Re: Filing of Certified Copy of Priority Document:

A certified copy of the priority document was filed, along with a claim for convention priority, with the PTO on January 12, 2001; however, the PTO has not acknowledged receipt of these filings. Such acknowledgement is respectfully requested in the next PTO correspondence.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amended and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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